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Attorney for Plaintiff
CALIFORNIA ENVIRONMENTAL PROTECTION ASSOCIATION

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CALIFORNIA ENVIRONMENTAL PROTECTION ASSOCIATION, a California corporation,)	Case No.: 4:15-cv-04880-KAW
Plaintiff,)	STIPULATION FOR DISMISSAL OF
vs.)	PLAINTIFF'S CLAIMS WITH
SONOMA SOIL BUILDERS, INC, a)	PREJUDICE; PROPOSED ORDER
California corporation, SHILOH OAKS)	GRANTING DISMISSAL WITH
COMPANY, LLC, a California limited)	PREJUDICE (FRCP 41(a)(2))
liability company,)	
Defendant.)	

Plaintiff CALIFORNIA ENVIRONMENTAL PROTECTION ASSOCIATION
("CEPA") and Defendants SONOMA SOIL BUILDERS, INC. ("SSB") and SHILOH OAKS
COMPANY, LLC ("SHILOH"), hereby stipulate as follows:

WHEREAS, on October 23, 2015, CEPA filed the Complaint in this matter against
Defendant SSB, and on June 9, 2016, CEPA filed a First Amended Complaint against SSB;

WHEREAS, on October 2, 2017, CEPA filed a Second Amended Complaint against SSB
and Defendant SHILOH;

WHEREAS, CEPA, SSB and SHILOH (the "settling parties"), through their authorized
representatives, and without either adjudication of CEPA's claims or admission by SSB or
SHILOH of any alleged violation or other wrongdoing, have chosen to resolve in full by way of

1 settlement the allegations of CEPA as set forth in the Complaint, thereby avoiding the costs and
2 uncertainties of further litigation;

3 WHEREAS, the Settling Parties submitted the Settlement Agreement via certified mail,
4 return receipt requested, to the U.S. EPA and the U.S. Department of Justice (the “federal
5 agencies”) for a 45-day statutory review period, consistent with 33 U.S.C. 1365(c) and 40 C.F.R.
6 135.5, and that review period has expired. The federal agencies have submitted correspondence
7 to the Court indicating that they have no objection to the terms of the Settlement Agreement.

8 NOW THEREFORE, IT IS HEREBY STIPULATED and agreed to by and between the
9 Settling Parties that CEPA’s claims, as set forth in its Complaints, be dismissed with prejudice
10 pursuant to Federal Rule of Civil Procedure 41(a)(2).

11 Dated: July 6, 2018

Respectfully,
Craig A. Brandt

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14 By: /s/ Craig A. Brandt
15 Craig A. Brandt
16 Attorney for Plaintiff

17 Dated: July 6, 2018

Respectfully,
Peter L. Simon

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20 By: /s/ Peter L. Simon
21 Peter L. Simon
22 Attorney for Defendant SONOMA
23 SOIL BILDERS, INC.
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1 Dated: July 6, 2018

2 Respectfully,
3 Marlon V. Young

4 By: /s/ Marlon V. Young
5 Marlon V. Young
6 Attorney for Defendant
7 SHILOH OAKS, LLC

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9 **ATTESTATION FOR E-FILING**

10 I hereby attest pursuant to Civil L.R. 5-1(i)(3) that I have obtained concurrence in the
11 filing of this document from the other Signatories prior to filing.

12
13 Dated: July 6, 2018

14 By: /s/ Craig A. Brandt

15 **~~[PROPOSED]~~ ORDER**

16 Good cause appearing, and the Parties having stipulated and agreed,

17 IT IS HEREBY ORDERED that Plaintiff California Environmental Protection
18 Association's claims against Defendants Sonoma Soil Builders, Inc. and Shiloh Oaks Company,
19 LLC, as set forth in CEPA's Complaints, are hereby dismissed with prejudice.

20 IT IS SO ORDERED.

21 Dated: 7/10/18

22 Kandis Westmore
23 KANDIS A. WESTMORE
24 UNITED STATES MAGISTRATE JUDGE
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